

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**IN RE: BLUE CROSS BLUE SHIELD  
ANTITRUST LITIGATION  
MDL 2406**

**Master File No. 2:13-CV-20000-  
RDP**

**This Document relates to all  
cases.**

**DEFENDANT BLUE CROSS AND BLUE SHIELD OF ALABAMA'S  
MOTION TO EXCEED PAGE LIMIT**

COMES NOW Defendant Blue Cross and Blue Shield of Alabama, (“BCBSAL” or “Defendant”), by and through its undersigned counsel, and respectfully moves this Court for permission to exceed the page limit for its opposition to Plaintiffs’ Motion for Sanctions for Violation of Discovery Order No. 76. In support of this Motion, Defendant states as follows:

1. Discovery Order No. 1, by amendment, allows the non-moving party to submit an opposition of no more than 30 pages. (Doc. 483)
2. Plaintiffs’ Motion, at 29 pages, raises significant and material allegations regarding BCBSAL’s compliance with the discovery process in this litigation and seeks one of the most extreme sanctions a court can impose, the wholesale waiver of the privilege as to *all* documents on BCBSAL’s privilege log.
3. Defendant BCBSAL endeavored to submit a concise and succinct opposition in response.

4. Given the drastic remedy that is now being sought against BCBSAL here, BCBSAL requests permission to file a response in excess of this page limitation to adequately respond. A detailed and thorough discussion of the discovery process that BCBSAL followed is needed to properly frame the extreme relief that is now requested.

WHEREFORE, premises considered, Defendant Blue Cross and Blue Shield of Alabama respectfully requests permission to file a response in excess of the 30-page limit.

Dated: April 27, 2018

Respectfully submitted,

/s/ Carl S. Burkhalter

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 27, 2018, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Carl S. Burkhalter

Carl S. Burkhalter